UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

ELMER HEISNER, Individually, and on Behalf of JAYNE HEISNER)
Plaintiff,) Case No.: 08 C 593
v.)) Judge David H. Coar
GENZYME CORPORATION,)
a Massachusetts Corporation) Magistrate Judge Denlow
Defendant.)

MOTION FOR VOLUNTARY OF DISMISSAL

Plaintiff, ELMER HEISNER, Individually and on behalf of JAYNE HEISNER, pursuant to Rule 41(a) (2) of the Federal Rule of Civil Procedure, Moves this Court Grant Plaintiffs Request to dismiss the above action Without Prejudice.

Dated: August 15, 2008

COUNSEL FOR PLAINTIFF

/S/ Kurt D. Hyzy
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CERTIFICATE OF SERVICE

I do hereby certify that, on this 15th day of August, 2008, a true and correct copy of **Plaintiff**, **Elmer Heisner's**, **individually**, **and on Behalf of Jayne Heisner**, **Motion for Voluntary Dismissal** were served on the following:

Stephanie A. Scharf Schoeman Updike Kaufman & Scharf 33 W. Wacker Dr., Suite 300 Chicago, IL 60606 sscharf@schoeman.com

> By: <u>/s/ Kurt D. Hyzy</u> Attorney for Plaintiff Kurt D. Hyzy, #6196871

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